

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

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COMMITTEE ON THE JUDICIARY,  
UNITED STATES HOUSE  
OF REPRESENTATIVES,

Plaintiff,

v.

HARRIET MIERS, et al.,

Defendants.

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Case No. 1:08-cv-00409 (JDB)

**UNOPPOSED MOTION OF AMICI CURIAE SENATORS DANIEL K. INOUE AND  
SHELDON WHITEHOUSE, FORMER SENATOR WILLIAM S. COHEN, AND  
FORMER REPRESENTATIVES MICKEY EDWARDS AND THOMAS B. EVANS, JR.  
FOR LEAVE TO FILE A BRIEF IN SUPPORT OF  
PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT**

Amici Senators Daniel K. Inouye and Sheldon Whitehouse, former Senator William S. Cohen, and former Representatives Mickey Edwards and Thomas B. Evans, Jr., respectfully request the Court's leave to file the attached brief as amici curiae in support of plaintiff's motion for summary judgment. Pursuant to Local Civil Rule 7(m), counsel for amici has conferred with counsel for the plaintiff and for the defendants. Counsel for the plaintiff consents to the granting of this motion. Counsel for defendants takes no position.

Amici are current and former Members of Congress from both parties. Senator Inouye, a Democrat, was a member of the Senate Select Committee on Presidential Campaign Activities, which was established in 1973 to investigate the Watergate affair. Former Senator Cohen, a Republican, was a Representative in 1974 and a Member of the House Judiciary Committee, which reported articles of impeachment against President Nixon. Former Representative Evans,

a Republican, was co-chair and chief operating officer of the Republican National Committee from 1971 to 1973, during the Watergate era, before becoming a Member of Congress in 1977.

Senator Whitehouse, a Democrat, is currently a member of the Senate Judiciary Committee, which also is investigating the forced resignation of several U.S. attorneys in late 2006. Former Representative Edwards is a scholar in the field of separation of powers and Congressional oversight of the Executive Branch.

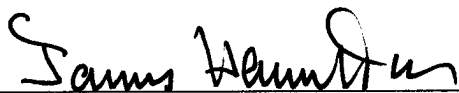
Amici have a broad range of legislative experience, including involvement in legislative oversight of the Executive Branch, that gives them a bipartisan perspective on the Legislative Branch's need for access to Executive Branch information to perform effectively Congress' oversight responsibility. In particular, the involvement both Senator Inouye and former Senator and Representative Cohen in the Congressional investigations of the Watergate affair provides them with first-hand knowledge of the importance of Congressional access to Executive Branch information when malfeasance may exist.

For these reasons, the Court would benefit from amici's unique and bipartisan perspective on the issues raised by plaintiffs' complaint.

### CONCLUSION

For the above reasons, amici request leave to file the attached brief in support of plaintiff's motion for partial summary judgment. A proposed order is submitted herewith.

Dated: May 29, 2008



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